

JAN 25 2012

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# A BILL FOR AN ACT

RELATING TO EDUCATION.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1       SECTION 1.   Section 37-74, Hawaii Revised Statutes, is  
2 amended by amending subsection (d) to read as follows:

3       "(d)   No appropriation transfers or changes between  
4 programs or agencies shall be made without legislative  
5 authorization; provided that:

6       (1)   Authorized transfers or changes, when made, shall be  
7       reported to the legislature;

8       (2)   Except with respect to appropriations to fund  
9       financing agreements under chapter 37D, the University  
10       of Hawaii shall have the flexibility to transfer  
11       appropriated funds and positions for the operating  
12       cost category among programs, among cost elements in a  
13       program, and between quarters, as applicable; except  
14       with respect to appropriations to fund financing  
15       agreements under chapter 37D[7] and appropriations to  
16       the EDN 100 school based budgeting program identifier,  
17       the department of education shall have the flexibility  
18       to transfer appropriated funds and positions for the



1 operating cost category among programs and among cost  
2 elements in a program, and between quarters, as  
3 applicable; and the Hawaii health systems corporation  
4 and its regional system boards shall have the  
5 flexibility to transfer special fund appropriations  
6 among regional system hospital facilities as  
7 applicable and as mutually agreed to by the  
8 corporation and the respective regional system board;  
9 provided that the Hawaii health systems corporation  
10 and the regional system boards shall maintain the  
11 integrity and services of each individual regional  
12 system and shall not transfer appropriations out of  
13 any regional system that would result in a reduction  
14 of services offered by the regional system, with due  
15 regard for statutory requirements, changing  
16 conditions, the needs of the programs, and the  
17 effective utilization of resources; and

- 18 (3) The university and the department of education shall  
19 account for each transfer implemented under this  
20 subsection in quarterly reports to the governor and  
21 annual reports at the end of each fiscal year to the  
22 legislature and the governor, which shall be prepared



1           in the form and manner prescribed by the governor and  
2           shall include information on the sources and uses of  
3           the transfer."

4           SECTION 2. Statutory material to be repealed is bracketed  
5 and stricken. New statutory material is underscored.

6           SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY: Amid Y. Ige



# S.B. NO. 2654

**Report Title:**

Department of Education; Appropriation Limitation; Transfer Funds

**Description:**

Prohibits the DOE from transferring funds from EDN 100 to any other program.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

